

**Iowa Meeting with
National Center for State
Courts**

National Center for State Courts

Des Moines, Iowa

November 9, 2004

National Center for State Courts

Founded in 1971, NCSC is a private, nonprofit, “wholly owned instrumentality” of the state courts

Mission: Help courts improve the administration of justice and better serve the public

- Research**
- Court Consulting**
- Information service**
- Education – Institute for Court Management**
- Technology programs**
- Secretariat services**
- International programs**

NCSC Experience With Workload Assessments

- California
- Maine
- New Hampshire
- Wisconsin
- Minnesota
- New Mexico
- Nebraska
- West Virginia
- Hawaii
- South Dakota
- North Dakota
- Michigan
- Tennessee
- Wyoming
- Florida
- Oregon
- Georgia
- Iowa
- North Carolina
- Maryland
- Puerto Rico

Question

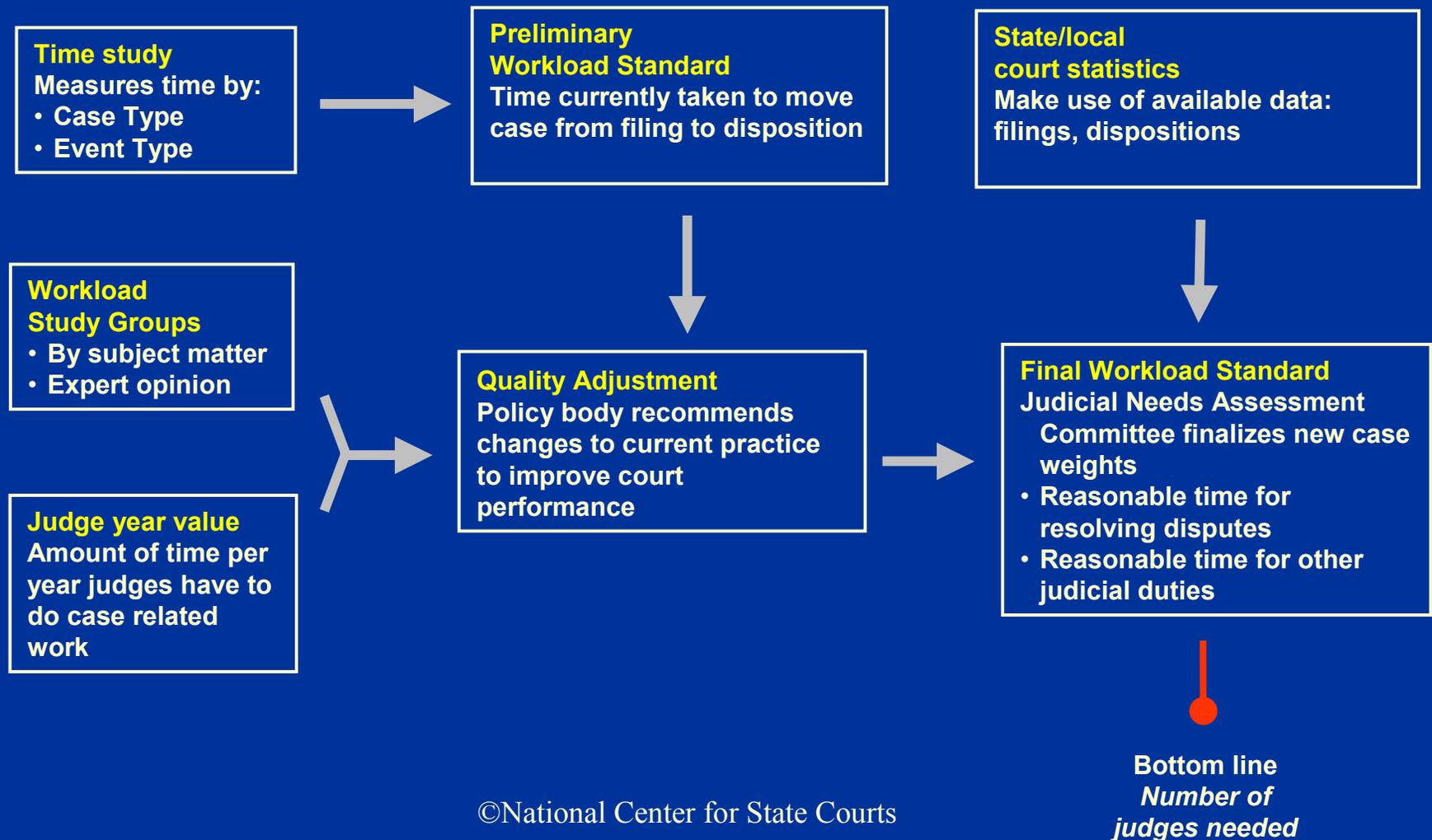
How many judicial officers are needed in Iowa to provide effective case resolution for the people?

Why Workload Assessment

So a state can decide how to:

- **Determine the need for judges**
- **Integrate quality and make the reasoning explicit**
- **Make a persuasive and reasoned case to the legislature for appropriate resources**
- **Evaluate use of existing resources (equitable allocation of resources)**

Typical Project Overview



Orientation

- **Effective use of judicial resources should be tied to workload**
- **Translate judicial *caseload* into judicial *workload***
- **Different types of cases require different amounts of resources and attention from judges**
- **Credible and understandable to judges and legislature**
- **Develop approach to distinguish “what is” from “what should be”**

Developing Workload Standards: Time Study

Workload Standards:

- **Provide a data-based profile of “what is”**
- **Move from caseload to workload**
- **Provide “objective” measure of how much work is required**
- **Provide a means to anticipate future workload**

Supply and Demand

How does workload demand compare to available judge time?

Answer based on three factors:

- **Case filings**
- **Available judge time**
- **Workload standards**

Time study: how does it work?

- Measure total amount of judicial time
- Few cases tracked from start to finish
- Focus on “case events”
- **Workload standard** is a composite of separate (though likely similar) cases observed at various points — events — during the case life cycle

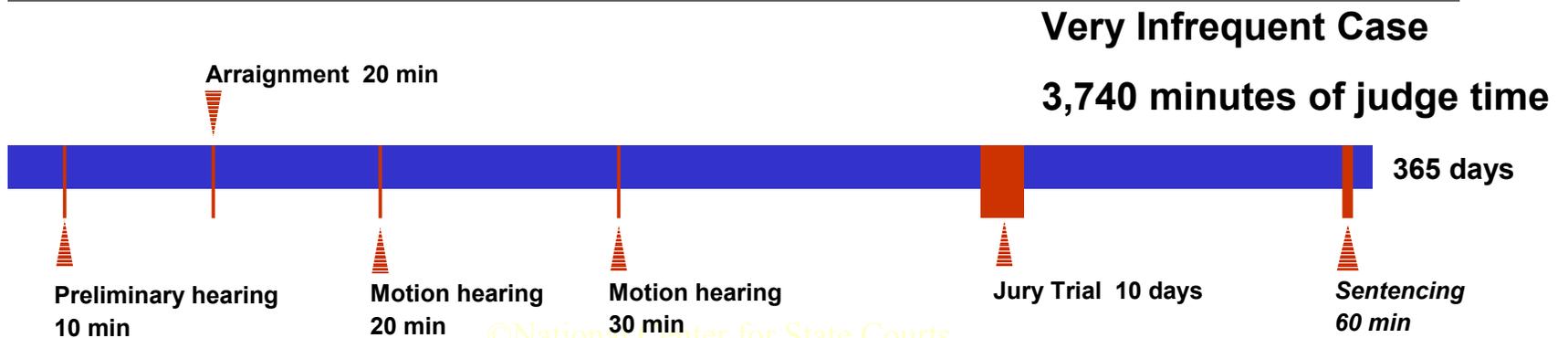
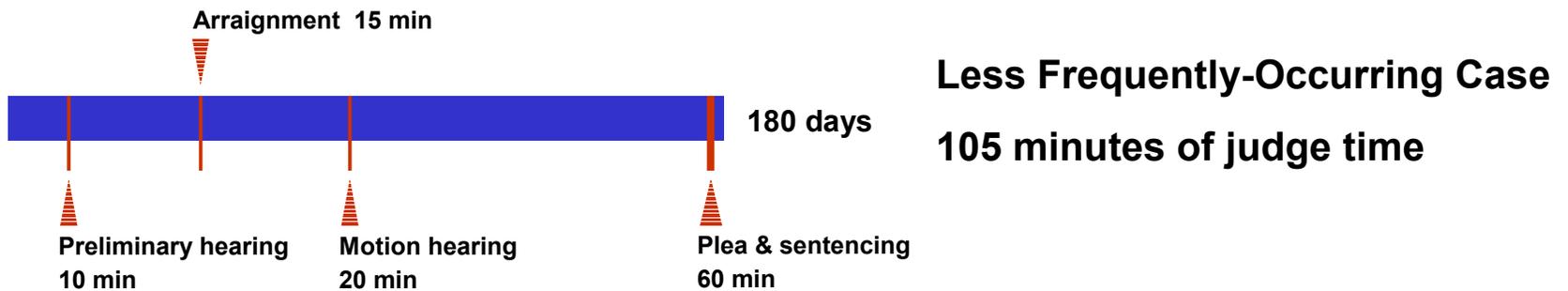
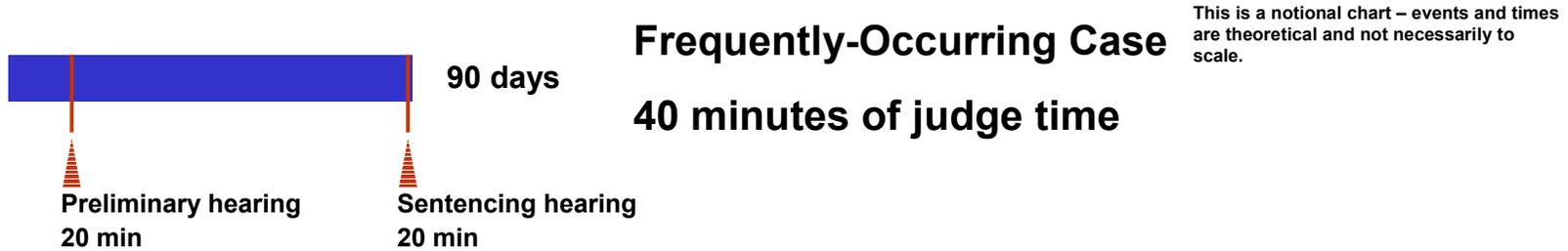
Workload Standard

Workload standard is the time (expressed in minutes) necessary to do a job of reasonable quality for a given type of case.

Example:

A standard of 100 minutes means that, on average, cases of that type require 100 minutes of judge time over the entire life of the case.

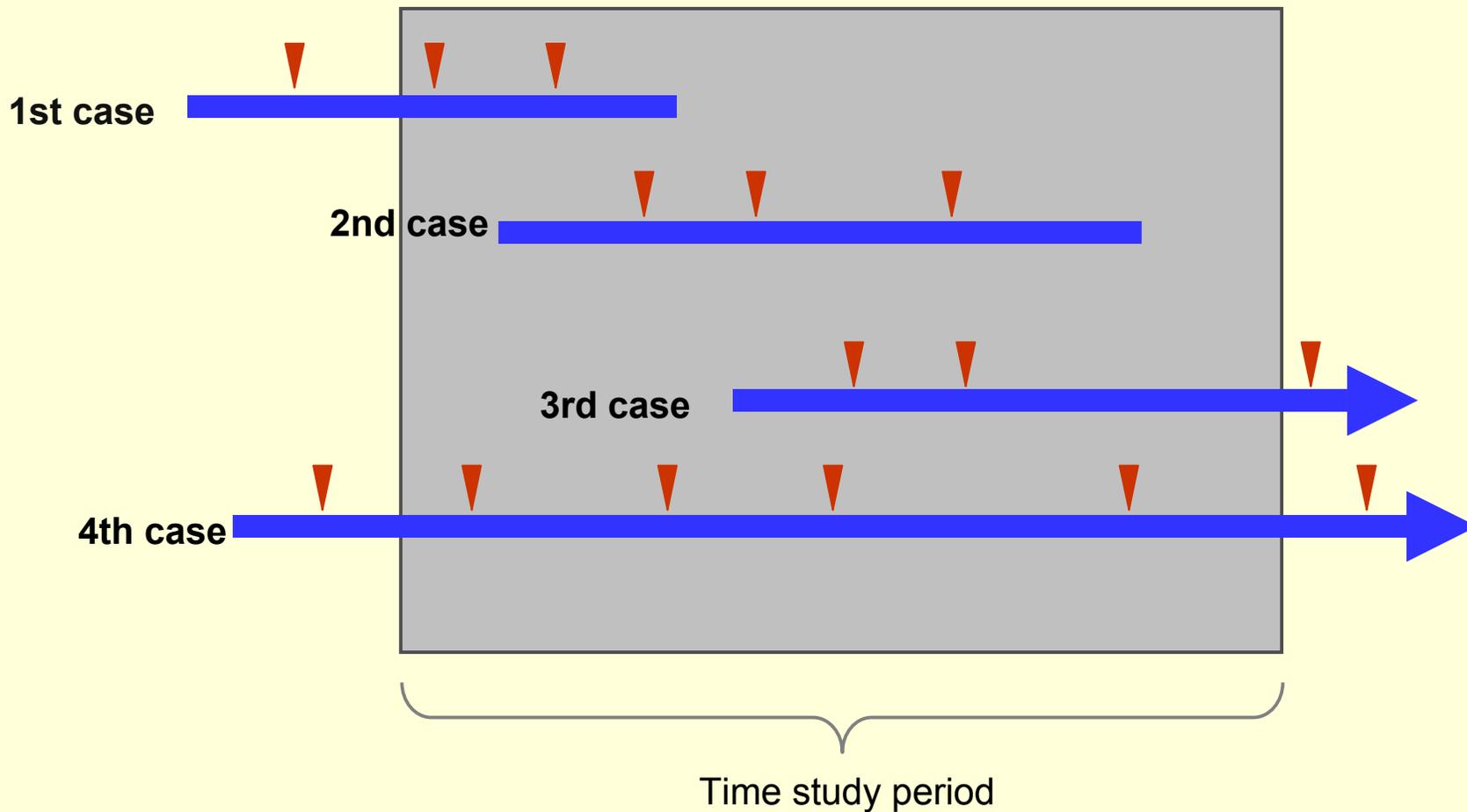
Time From Arrest to Disposition in Felony Cases



Event Based Time Study

Workload Standard Gives a View of the Case Based on One Month of Data

 = Case processing events



Available judge time

- **“Judge year”**—Number of days per year judges available to hear cases
- **“Judge day”**—Number of hours per day judges available for case-related work

Factors determine a “standard” for the total time judges have available each year to do case-related work

Judge Day

Separated into two parts:

- ***Case-related matters:* judicial time spent handling cases both on the bench and in chambers**
- ***Non-case-related matters:* time spent on judicial functions not directly related to case processing.**

Judge Year and Judge Day

Judge Year:

Work days per year (365 minus 104)	261
Deduct Holidays	-11
Personal Leave	-26
Conferences and CLE	-12
Days Available	212

Judge Day:

Hours in Day	8.5
Deduct Lunch, breaks, personal time	-1
Time available (hours)	7.5

Judge Year Value

(212 days * 7.5 hours * 60 minutes) = 95,400 minutes

Comparison of Judge Years in Selected States

<u>State</u>	<u>Judge Year (in days)</u>	<u>State</u>	<u>Judge Year (in days)</u>
Kansas	224	Michigan	215
Missouri	224	New Mexico	214
Delaware	222	Washington	214
New York	221	Connecticut	213
Colorado	220	Wisconsin	213
Georgia	220	Iowa	212
Oregon	220	Utah	211
Maine	219	Louisiana	209
New Hampshire	219	West Virginia	209
Hawaii	218	North Dakota	205
South Dakota	216	Minnesota	202
California	215	Alabama	200
Florida	215		
		25 state average	215

A review of data sources 2002 Iowa Workload Study

- **Two month time study**
- **All 8 districts and 14 sub districts participated**
 - **representing 98 of the 99 counties in Iowa**
- **Total of 164 Judicial officers**
 - **57 district judges (49%)**
 - **37 district associate judges (55%)**
 - **70 magistrates (52%)**

What case types?

1. Civil: dissolution
2. Civil: support
3. Civil: domestic abuse
4. Civil: other equity/law
5. Small Claims/Civil
Infractions
6. Simple misdemeanors
7. Criminal: OWI (1st, 2nd)
8. Criminal: Other
indictable misdemeanors
9. Criminal: OWI (3+)
10. Criminal: other Felonies
11. Probate/Estate
12. Adult Commitments
13. Juvenile Delinquency
14. CINA/FINA
15. TPR
16. Juvenile Commitment
17. Search Warrants

Basic Case Events

- **Preliminary Proceedings**
- **Pretrial Hearings/Motions**
- **Settlement Conference**
- **Guilty Pleas/Admissions**
- **Jury Trial**
- **Bench Trial/ Adjudicatory Hearing**
- **Disposition/Sentencing**
- **Post Judgment/Post Dispo**
- **Other Case Related Work**

Non Case Related Activities

- **Non Case Related Administration**
- **Judicial Education and Training**
- **Community Activities, Education**
- **Travel Time (Work Related)**

Filings and/or Dispositions?

- **Which is more descriptive of work?**
 - **Work to be done**
 - **Work completed**
- **Which is best?**
 - **Availability – do the data exist?**
 - **Timeliness – are the data available during the time of the study?**
 - **Quality – are the data reliable over time and across jurisdictions?**
 - **Audited – which is more likely to be audited?**

Building the Time Study Standards

- **Set case-related/ non-case related standard**
- **Analyze case-related time**
 - **Sum the time spent on individual events within each case type**
 - **Use time as a proxy for all of the case-related work**
 - **Divide total time by the number of specific case filings during the time study period**

Example Findings

- **Time study shows 100,000 minutes of time spent on case type A**
- **There are 1,000 filings of case type A**

Workload standard:

$$100,000/1,000 = 100 \text{ minutes}$$

Composition of Workload Standard

<u>Event</u>	<u>Time when event occurs</u>		<u>% Cases where event occurs</u>		<u>Contribution to workload standard</u>
Pre-trial	25	x	100%	=	25
Trial	1,000	x	5%	=	50
Post-judgment	125	x	20%	=	25
Total workload standard					100

How Do We Measure Workload?

<u>Case Type</u>	<u>Standard</u>		<u>Filings</u>	<u>Workload</u>
Routine	2.2	x	165	= 363
Non - Complex	31	x	2,900	= 89,900
Complex	237	x	246	= 58,302
Long Term	71	x	1,079	= 76,609
Total Workload				225,174

How Do We Assess Judge Need?

Workday (hours)	Judge Year (days)	Total Case (minutes)
7.5	212	95,400

Judge Need:

**225,174 divided by 95,400 = 2.36 FTE
judges required to handle workload**

Cases per Judge per Year (78,840 minutes)

<u>Case Type</u>	<u>Standard</u>	<u>Cases per Judge</u>
Routine	2.2	35,836
Non-Complex	31	26,280
Complex	237	332
Long Term	71	1,110

Quality Adjustments

**A move from “what is” to
“what should be”**